

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5294 2007

-

Dt:15.03.2007

Between:

Taddi Appala Naidu.

.. Petitioner

and

The Government of Andhra Pradesh, rep., by its Principal
Secretary to Government, Irrigation & CAD Dept., Secretariat
Buildings, 'J' Block, 7th Floor, Hyderabad and others.

.. Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.5294 OF 2007

-

ORDER:

-

Petitioner is the President of Water Users' Association (for short 'the Association'), Yeduvampulagedda Anicut System at Kota Sirlam Village, Ramabhadrapuram Mandal, Vizianagaram District. In view of the floods from the rivulet in the locality, during the previous rainy season, the Government has decided to embank the rivulet. The work is to be executed in the area of operation of the Association.

In accordance with the existing norms, the Principal Secretary to Government, first respondent herein, addressed a letter, dated 03.02.2007, to the second respondent, to ascertain whether the Association is

prepared to contribute 10% of the total value of the work, obviously, to consider the feasibility of entrusting the work to it. On receiving the same, the petitioner submitted a representation, stating that the Association would contribute to an extent of 5%, in the form of 'Sramadhanam'. The fourth respondent has informed this development to the third respondent for onward communication to respondents 1 and 2. The second respondent, in turn, addressed a letter, dated 22.02.2007, to the first respondent, recommending for entrustment of the work to the Association, by accepting 5% contribution of the total value of the work. The petitioner contends that the issue has not been finalised, as yet, and unless the work begins right now, it may not be completed by the time the rainy season sets in.

Heard the learned counsel for the petitioner and the learned Government Pleader for Irrigation.

The entitlement of the Association for being awarded the work was recognised by the first respondent. The second respondent was required to ascertain the preparedness of the Association to contribute 10%. On receiving communication from the Association, the second respondent recommended to the first respondent to allot work to the Association by

accepting 5% contribution in the form of 'Sramadhanam'.

If the recommendation made by the second respondent accords with the prevailing norms, there must not be any difficulty in allotting the work to the Association. On the other hand, if it is not feasible to accept the recommendation, necessary decision, in this regard, needs to be taken. The nature of work is such that the execution thereof must be completed before the rainy season sets in. Thereafter, it becomes impossible to undertake the work.

For the foregoing reasons, the Writ Petition is disposed of, directing the first respondent to take a final decision on the recommendation made by the second respondent, through his proceedings, dated 22.02.2007, within a period of two (2) weeks from the date of receipt of a copy of this order and communicate the same to all the concerned. There shall be no order as to costs.

15.03.2007

Note: Issue C.C. in two days.

(B/o)

JSU